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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher A. Wiklof, Cathy Aragon, Josh M. Kornfeld,  
Clarence T. Tegreene, and Jim T. Russell

Title: SCANNER AND METHOD FOR SWEEPING A BEAM  
ACROSS A TARGET

Serial No.: 10/007,784

Filing Date: November 13, 2001

Examiner/Unit: Euncha P. Cherry/ 2872

Attorney Docket No.: 1788-22-3

TRANSMITTAL LETTER

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited in the United States Postal Service as First Class Mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 3<sup>rd</sup> day of January, 2006.

  
Signature

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is:

A response/amendment in the above-identified application.

\_\_\_\_ The fee has been calculated as shown below:

XX No additional claim fee is required.

Computation of Fee  
For Claims as Amended

	Claims Remaining After <u>Amendment</u>		Highest Number Previously <u>Paid for</u>		Present <u>Extra</u>	<u>Rate</u>	Addl. <u>Fee</u>
Total Claims	44	Minus	44	=	0 x	\$50/ <u>\$25</u>	= \$-0-
Independent Claims	13	Minus	13	=	0 x	\$200/ <u>\$100</u>	= \$-0-
Total additional fee for this amendment							\$-0-

\* If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 5.

\*\* If the "Highest Number Previously paid for" is less than 20, write "20" in this space.

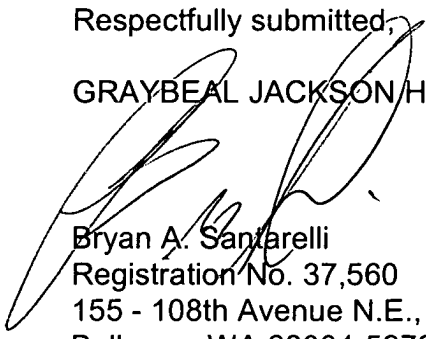
\*\*\* If the "Highest Number Previously Paid For" is less than 3, write "3" in this space.

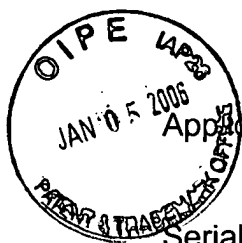
\_\_\_\_\_ Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ for the additional claim fee is enclosed.

XX Please charge any additional fees or credit overpayment to Deposit Account No. 07-1897.

Respectfully submitted,

GRAYBEAL JACKSON/HALEY LLP

  
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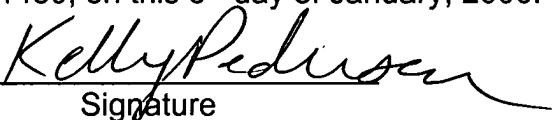
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**RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 CFR § 1.143**

TO THE COMMISSIONER FOR PATENTS:

In response to the December 1, 2005 restriction requirement under 35 USC § 121, although as discussed below the Applicants' attorney believes that the Examiner's restriction is improper, he elects Groups II and V-VII (claims 10-14, 38, 39, and 40, respectively) for prosecution with traverse (see paragraph 2 on page 9 of the Restriction Requirement).

The Applicants' attorney points out that none of the ten(!) claim groups includes claims 22-25, 30-32, or 43. Therefore, for purposes of this response, the Applicants'